Verification Rule Could Stifle Information Flow

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Some agencies may be forced to reduce dramatically the amount of information they release to the public under new rules proposed by the Office of Management and Budget.

The proposed rules have a worthy enough cause: They would require agencies to verify that the information they release to the public is accurate.

But some observers fear that making agencies more accountable for the accuracy of their information would hinder dissemination of scientific research, regulatory information and other information popular with the public.

Also, some agency officials worry aloud that the proposed rule, published in the *Federal Register* June 28, would be expensive to implement.

But defenders argue the proposed rules would create a needed mechanism to allow the public to challenge inaccurate or biased information released by agencies.

"There need to be some standards that must be met before agencies release information to the public," said Jim Tozzi, a member of the board of advisors at the Center for Regulatory Effectiveness in Washington, D.C., a government watchdog group.

Tozzi's organization was a leading advocate for the legislation that Congress passed last year as part of the Treasury Department appropriations. The law requires OMB to spell out how agencies will ensure the "quality, objectivity, utility and integrity" of information, including statistical information, they disseminate.

The law requires OMB to publish final rules by Sept. 30.

"Some agencies have shown no concern about the quality of information that they put out," Tozzi said.

Some critics say they are concerned that agencies will be afraid to release any information at all.

"The definition of quality [in the proposed guidance] is too vague," said Patrice McDermott, policy analyst at OMB Watch in Washington, another government watchdog group. "If they have to apply it to every piece of information, agencies will grind to a complete halt."

The standards the guidelines apply to scientific research also will inhibit the spread of scientific knowledge, said Steve Heinig, senior staff associate at the Association of American Medical Colleges in Washington.

He said the requirement that the results of scientific research must be reproducible will make it impossible for agencies to release any scientific information.

"How do you know the results are reproducible unless someone repeats all the research?" Heinig said. "That would be so expensive no one could do it."

Heinig said the standard undermines the peer review process agencies and scientific organizations use to ensure the integrity of scientific research. Under the peer review process, scientists review each other's research before it is published but do not duplicate it. After publication, scientists who disagree with the conclusions may try to duplicate but rarely do, Heinig said.

Another issue is a decentralized process for disseminating information to the public at many agencies that will make it time-consuming and expensive to review the quality of all information before release.

In Aug. 13 comments to OMB, the State Department's office of the chief information officer said it would be difficult to comply with the rule's one-year deadline using existing resources.

"One year after the regulation goes into effect is insufficient time for such a major effort that encompasses every element of the department, at home and abroad, and requires coordination with other agencies," the State Department's comments said.

A State official who asked not to be identified said the cost of complying could be enormous.

"Once you get into the issue of data quality, you have opened a black hole. It could take 4 percent of State's budget to make sure that all the data we release is accurate," the official said.

An official at the Environmental Protection Agency said his agency already has tackled the issue of data quality and is ready to comply with the guidelines.

"We have been hammered for years on data quality, so we take it very seriously," said Mark Luttner, director of information collection at EPA.

EPA also has a process in place to accept complaints about incorrect information. "We have an error correction button on every Web page that people can use to send in complaints," Luttner said. "When they do, a real, live EPA person calls them to resolve the problem."

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Source: https://www.industrydocuments.ucsf.edu/docs/rxxk0001

Luttner said his main concern about the guidelines is the provision that requires an individual response to every complaint. "During the arsenic controversy we got thousands of e-mails," Luttner said. "It would have taken forever to respond to all of them."

Source: https://www.industrydocuments.ucsf.edu/docs/rxxk0001